

Stephen S. Edwards
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MAR 25 2025
MITCHELL R. ELFERS
CLERK

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STEPHEN S. EDWARDS,
Plaintiff,

CASE No: CV 25-300 JMR

v.

SAMIR V. PATEL.

Defendant.

-
1. CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983
 2. 18 USC § 1510. Obstruction of criminal investigations (8 Violations)
 3. 18 USC § 1511. Obstruction of State or local law enforcement (8 Violations)
 4. Fraud 8 Violations
 5. Conspiracy to Commit Fraud 8 Violations

COMPLAINT

COME NOW the Plaintiff Stephen S. Edwards in pro persona with Federal questions of due process violations (Video Evidence) that was frivolously circumvented by destruction to avoid culpability by defendant and businessman Samir V Patel. Mr Patel is part owner of The Tru by Hilton Hotel located at 4949 Jefferson St NE Albuquerque, New Mexico leaving all his guest out to dry in maliciously failing to provide adequate security then hiding evidence to avoid judgement. Mr. Patel a recipient of Federal Covid money (\$150,000.00) has the AUDACITY to Destroy Video Surveillance evidence from 8 Hotel Cameras jeopardizing all guests safety. Mr Patel hired cheap security who abandoned his post based on non payment on the evening of Dec. 11, 2020 from 11:30PM to 2:15AM for over 90 minutes. Where is the Tru by Hilton Video?

Security Evidence Mr. Patel was advised and he agreed to preserve by his General Manager who located the suspect vehicle from the Hilton Security footage they claim they now do not have. Can you imagine your cameras for security do not work when you know you have had previous break-ins without warning your guests of previous violations of premises liability by nefarious people. Mr Patel destroyed this video evidence despite his promise to preserve, despite notice and promise to retain? Fraud!

Diversity and Jurisdiction

1. That at all times relevant hereto Stephen S. Edwards, hereinafter the "Plaintiff", was a resident from the City of Phoenix, in the State of Arizona and does not have an address as of date of this complaint. E-Notifications will be needed.
2. The Defendant, a resident of the State of New Mexico. SAMIR V. PATEL located at 1400 W. Maloney Gallop, NM 87301. **Tru by Hilton Albuquerque North** 4949 Jefferson St NE Albuquerque, NM

That this action involves a robbery that occurred on December 11, 2020, in the City of Albuquerque, State of New Mexico at the Tru by Hilton Hotel premises located at 4949 Jefferson St. NE built and opened just months earlier. This action is to hold accountable defendant for purposely hiding evidence to avoid judgement. Fraud.

That diversity jurisdiction exists under 28 USC § 1331 & 28 USC § 1330 insomuch as the Plaintiff and Defendant are residents of different states and the amount in controversy exceeds \$75,000.00 for each of 8 Counts of fraud. Sixteen (16) Counts of due process violations each exceed \$75,0000.00. 8 Violation of Conspiracy to commit fraud.

A Jury Trial is not required this case is simply about a person hiding video evidence of the robbery denying plaintiff's due process under nefarious means.

Introduction:

- A. That the Plaintiff restates each and every allegation as if fully stated herein.
- B. That on December 11, 2020 at 1:00AM the Plaintiff's Civil rights were violated insomuch that he left Albuquerque because he did not feel safe anymore.
- C. That Tru by Hilton knew of the dangers in their new Hotel and Large parking lot and yet they neglected to advise their guest of the dangers. Later we learned there was a similar robbery 4 weeks prior.
- A. That the Hotel manager on duty never asked the trespassers to leave the property.
- B. That the Hotel Manager did not call Albuquerque Police in a timely fashion.
- C. That the Hotel Manager on duty did not call to locate his security to return.
- D. The Plaintiff stayed at this Hotel for more than 2 weeks the Hotel Manager's never warned plaintiff or any of the guests despite knowing of the dangers.
- E. Tru by Hilton manager Ms Molly Gallegos advised that the Albuquerque Police was severely shorthanded hence another reason why they hired security.
- F. That the Hotel refused to turn over video evidence to Plaintiff.
- G. That the plaintiff received video evidence from the The Maverik Gas station next door located at 5001 Jefferson St NE on December 2020.
- H. That the General Manager Molly Gallegos called the plaintiff the next morning at 10:00AM to advise she has the getaway vehicle still sitting on the premise after viewing video from the Tru by Hilton Hotel.

Plaintiff was a guest at the Tru by Hilton Hotel in late November 2020 departed for 2 weeks then returned. Two days later on December 11, 2020 a trespasser in an older blue pick up truck from 11:30PM to 2:15AM was driving around the parking lot for over 90 minutes canvassing all the guest cars to break in and steal whatever they can. The Albuquerque Police arrived 1 hour after the incident. This complaint is about the defendants actions using nefarious means to claim he does not have video from his security system. What an astonishing admission of guilt that they would be so calice. Each violation represents each camera footage that Mr Patel is hiding. Surveillance Security Video : 1 at entrance of Tru by Hilton Hotel, 3 Lobby Cameras. 1 Camera Above Check in with sound 2 Outdoor Camera outside each corner of Hotel. 1 Camera from Rear Entrance Door, 1 Camera from Side Entrance Door. Total 8 Cameras.

There is litigation at the lower Court where the defendants has tried multiple times to dismiss the charges of Negligent Security and premises liability under New Mexico Law. Each time defendant's arguments were rejected. Some charges dismissed without prejudice and were refiled. Defendants along with his legal counsel Mr Justin Robbs simple did not understand dismissed without prejudice despite the court explaining. This Court dismissed without prejudice by the Honorable Kaye Riggs. Defendant did not challenge that ruling Justice Riggs and plaintiff have conflict of interest with past business dealings with her family members. The plaintiff will display a court order demonstrating defendant has done everything possible to obstruct justice. The plaintiff did not deserve or ask for any of this nefarious activity by local business, man Samir V Patel. This is not the New Mexico I know. Mr Patel by his attorney Mr Justin Robbs instead of paying the simple claim has challenged this plaintiff to file additional legal documents in this Federal Court so he can continue to profit from litigation that is unnecessary. Time for defendant Mr Samir V. Patel to take responsibility either produce the video security tapes to take

judgment against you as alleged in this complaint. The actions of Mr Patel destroying evidence was done with the malicious attempt to devoid responsibility, conscience of guilt!

Prayer for Relief

WHEREFORE Plaintiff seeks entry of a judgment for violations of:

Civil Rights 42 U.S.C. § 1983.

18 USC § 1510. Obstruction of criminal investigations (8 Violations),

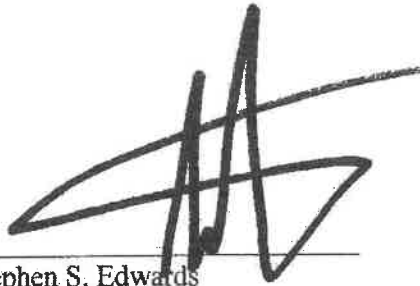
18 USC § 1511. Obstruction of State or local law enforcement (8 Violations)

Fraud 8 Violations 1 for each camera et al.

Conspiracy to Commit Fraud 8 Violations, & Punitive damages allowed by Federal Law.

Respectfully Submitted,

March 22, 2025

A handwritten signature in black ink, appearing to be 'S. Edwards', written over a horizontal line.

Stephen S. Edwards
The Plaintiff

JS 44 (Rev. 03/24)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

STEPHEN S. EDWARDS

(b) County of Residence of First Listed Plaintiff n/a
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

SAMIR V. PATEL

County of Residence of First Listed Defendant Sandoval
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input checked="" type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 550 Securities/Commodities Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. § 1983

VI. CAUSE OF ACTION

Brief description of cause:
Obstruction of Justice Destruction of Evidence

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
\$600,000

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See Instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE

ATTORNEY OR PARTY

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE